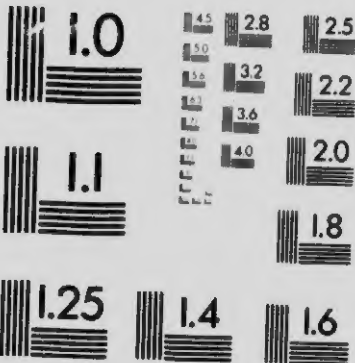


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"TEMPERANCE"

AND

WHAT THE WHITNEY GOVERNMENT
IS DOING TO ENSURE IT

Speech by

HON. W. J. HANNA

In Reply to a Motion of the Leader of
the Opposition to "Abolish the Bar."

DELIVERED IN THE
LEGISLATIVE ASSEMBLY ON 14th APRIL, 1914.

Printed by Order of
THE LEGISLATIVE ASSEMBLY OF ONTARIO

SPEECH OF
HON. W. J. HANNA

IN THE LEGISLATIVE ASSEMBLY
IN REPLY TO A MOTION OF THE LEADER OF THE
OPPOSITION TO "ABOLISH THE BAR."

MR. SPEAKER: The hon. member who has just sat down (Mr. Rowell, Leader of the Opposition) opened this discussion by a statement that he was about to discuss this question in this House for the third time. I do not think I am away from the facts when I say that we have had the pleasure of hearing him discuss this question in this House for at least the fifth, if not the sixth time—certainly for the second time this session. The question as set forth in the motion is so like an amendment that was introduced earlier in the session that were we as technical as the hon. member is on occasions with regard to the rules of this House, he would be ruled out of order and we should not have had the pleasure of hearing from him this afternoon.

THE SAME FAULTY MOTION.

Now he has presented the same old motion; no improvement in the motion, but I think I can safely say there has been some improvement in the speech. The arguments much the same, although presented in a somewhat different way, flavored up here and there, touched off a bit where perhaps they needed it, and altogether improved. Had his facts and the whole ground on which he bases his case been as sound as the hon. member's presentment of them was clever, he would have a much stronger case. The hon. member, particularly in some of his closing remarks, has lost sight of what has happened in this Province during the last fifteen or eighteen years in reference to this very subject. The hon. member who said there was a petition presented here the other day—no doubt referring

to the petition of nine thousand young men—he says Conservatives—they were not all Conservatives by any means—asking for a plebiscite or a referendum on the subject, and he appeals to the Government to accept the suggestion of these young men before this session rises—and assures us that the moment this is done, according to the hon. gentleman's own words, there will be no longer any Opposition in this House.

REFRESHING MR. ROWELL'S MEMORY.

Has the hon. member chosen to disregard what has happened in the years well within his memory? Because he is not as young as he sometimes acts. Does the hon. member recall that as early as 1892 not nine thousand but one hundred and ninety-two thousand odd of the electors of this Province asked for practically the same thing that the nine thousand asked for the other day? That, Mr. Speaker, is twenty-two years ago or thereabouts. At that time we had in this Province a Liberal Government. At that time we had a Government supported by the hon. member who now leads the Opposition.

For thirteen long years the one hundred and ninety-two thousand four hundred electors of Ontario waited for the legislation they asked for on that occasion, waited for some movement on the part of the Government that we succeeded to redeem the pledge that was given, but there was no answer from the Liberal Government of that day and no protest from the present Leader, who through it all supported that Government.

AN INCONSISTENT OPPOSITION.

Does the hon. member recall that later, in the year 1902, there was again a referendum to the people of this Province, and that one-hundred and ninety-nine thousand and some odd people voted in favor of action by the Government, and again there was not a single move on the part of the hon. member or his political friends in response to that vote, although they were in power for three years after that vote was taken—and yet the hon. member asks us to act on the petition presented a few days ago, and that before the House rises. So much for

the consistency of the hon. member, because all these years there was not a moment when the old Government was under condemnation at his hands on this or any other subject.

PROGRESS UNDER OLD GOVERNMENT.

It is not difficult to enumerate what our opponents did during the seven years prior to 1905. They did nothing whatever in the way of legislation or administration that would tend to minimize the evils of the drink habit. Taking the years in order:

In 1897 there was some legislation that was intended to be, and no doubt was, of a helpful character.

In 1898, None.

In 1899, "

In 1900, "

In 1901, "

In 1902, None.

In 1903, "

In 1904, "

Any legislation during these years affected only brewers' and distillers' licenses and other details, in no way touching the evils attending the trade.

STEADY PROGRESS UNDER PRESENT GOVERNMENT.

Scarcely a year has passed since the first year of administration by this Government when progressive legislation was not put upon the statute books of this Province calculated to check and curb the evils of the habit, and to strengthen the Government in the administration of the law.

Beginning with 1906, the following important amendments to the Liquor License Act have been passed:

1905.

At the time the present Government came into power a liquor dealer could supply any child with liquor on the order of the child's parent, but in 1905 an amendment was passed forbidding this, and since then no liquor dealer can legally supply a child with liquor, either with or without an order, and by an Act

passed in 1909, c. 82, s. 16, any person under 21 years of age who is supplied with liquor can be compelled to state under oath from whom he obtained such liquor.

1906.

Chap. 47, Section 6.—Bar-tenders made personally liable for infractions of the law.

Section 17.—Does away with the old law by which any offence could be treated as a first offence. This was a serious evil. The License Inspectors are now required to prosecute for a second or third offence, according to the facts, and in default are subject to a penalty of from \$20 to \$50.

Section 19.—Canvassing for, soliciting or receiving orders for liquor in a Local Option Municipality is prohibited.

Section 21.—Municipal Councils were authorized to appoint special officers having the powers of a Provincial Officer under the License Act, and in any prosecutions brought by such officer the fines collected belong to the municipality.

Section 23.—Veto power of the Minister is provided for.

Section 24.—Municipal Councils are compelled to submit Local Option By-laws on a petition of twenty-five per cent. of the electors of the municipality.

Section 28.—No club can sell liquor without first taking out a license. Hitherto many clubs had the right to sell liquor to their members by virtue of the common law.

1908.

Chap. 54, Section 2.—Repeals the provision under which Justices of the Peace had the right to issue certificates for liquor to be supplied during prohibited hours.

By this section the right of upwards of 5,000 magistrates to give orders to furnish liquor out of hours was cut off.

Section 9.—Persons on the prohibited list are compelled to disclose when and where and from whom they obtained liquor in the event of a prosecution.

Section 11.—Prevents licenses being used in cases in which Local Option laws are quashed—without the written consent of the Minister.

1909.

Chap. 82, Section 12.—The fines on unlicensed persons for selling liquor were doubled, and by the legislation of last year a fine of \$500 may now be imposed on such persons for a first offence. This has greatly assisted in the enforcement of the law.

Section 16.—Minors who are shown to have procured liquor can be compelled to disclose the name of the person from whom it was procured under penalty of being sent to prison.

Section 32.—A very important provision. A constable or inspector can seize liquor in transit without a warrant where he believes it is intended for in contravention of the Act. This has been of immense service in the enforcement of the law.

1910.

Chap. 94.—Under section 4 of this Act all licensed places are closed on Christmas Day.

1911.

Chap. 64, Section 1.—Under this Act five per cent. was levied on daily bar receipts of over \$50 outside of Toronto, and over \$60 in Toronto.

Section 20a.—Municipal councils are compelled to submit to the electors a by-law to reduce the number of licenses on the presentation of a petition containing the names of 10 per cent. of the municipal electors.

Section 21.—A very important provision requiring a three months' residence in a municipality before a person can vote on a Local Option by-law.

1912.

Chap. 55.—In 1912 the Whitney Government made several amendments to the Act, which were in the interest of Temperance and tended to the better enforcement of the law.

Section 2.—Keeping liquor for sale without a license was made as serious an offence as for selling without a license and the maximum fine was raised from \$200 to \$500.

Section 4.—(a) Storing liquor by brewers or other persons for future delivery in municipalities in which no tavern or shop license is in force was made an offence against the Act.

(b) Persons who are not *bona fide* owners of the liquor who allow liquor to be stored on their premises are made guilty of an offence against the Act.

Section 5.—Holders of tavern and shop licenses are forbidden to cash pay cheques or orders issued in payment of wages.

Section 6.—No tavern keeper compellable to supply liquor except on a doctor's order.

Section 10.—Provincial License Inspector may inspect any unlicensed hotel and report to the Minister for his information.

Section 12.—Power to prohibit by proclamation the sale of liquor in the vicinity of public works under construction.

Section 13.—Made it an offence for a person to be in an intoxicated condition owing to the drinking of liquor in a public place in a municipality in which the Local Option By-law is in force.

1913.

Chap. 54, Section 1.—Holders of tavern licenses are restricted to sales for consumption on the premises, so that no liquor bought in a tavern can lawfully be removed from the licensed premises.

Section 3.—Prohibits the consumption of liquor in any livery stable or other building to which the public are in the habit of resorting.

Sections 4 to 5.—Reduced the hours of selling so that liquor cannot be sold until eight o'clock in the morning instead of six.

Section 6.—Both tavern-keepers and purchasers are guilty of offence if liquor is removed from premises.

We shall have further progressive legislation in this year, 1914, and before the House rises. We shall continue in the future as we have in the past to keep pace with what we conceive to be the will of the people of this Province. We shall not cease to do from time to time what is in our power to minimize the evils of the traffic.

What has been the effect of this progressive legislation and of the careful and thorough enforcement of the law that has accompanied it—worked out by improved provisions in connection with the local option law, and through the exercise of the veto power by the Government? When we came into power there were in this Province 2,814 liquor licenses. As the outcome of our nine years' legislation and administration, this number will in the year 1914 be reduced in round figures to 1,600; in other words, the total number for the year 1905 will be practically cut in two for the year 1914, and in this connection it should be borne in mind that many of these were cut off through our local commissioners and the veto power of the Department, irrespective of Local Option.

Can anyone doubt the meaning of this reduction? Can any one say that this reduction would have taken place under the Government that we succeeded and that the Leader of the Opposition supported throughout? Can anyone doubt that we, the Government of the present day, are entitled to the credit for that reduction? We could investigate the matter ourselves and come to our own conclusions, but we can afford to go into the camp of the Opposition itself and find the conclusions they came to on the very occasion when the hon. member who now leads the Opposition was selected as Leader.

I recall the time when, in 1911, the Liberals were in convention and were looking around for a policy. I recall that on that occasion a delegate to that convention, himself a candidate for provincial honors in the last election, expressed himself in regard to the subject. Bear in mind that this was on the very occasion when the Leader of the Opposition was discovered, the occasion when he had thrust upon him those mantles which he has been wearing for the last two years, at the very time when he was developing a policy for the last election and listening to suggestions. That delegate in that convention, when he had before him the then past seven years of legislation and administration of the liquor license laws by this Government, referred at length to the subject of temperance, and his speech was certainly a great tribute to our record.

In the report of that meeting of November, 1911, as reported in the *Toronto Daily Star*, we find that delegate speaking as follows:—

"When we are at the bottom as we are now," he said, "we can safely strike out on a radical policy. We have nothing to lose and everything to win." (Loud cheers.)

"Within ten years there won't be a public bar in the Province. Let us get into the boat and sail to success. Let us force Sir James Whitney into the arms of the liquor interests." (Prolonged cheering.)

What does this mean? "Within ten years there won't be a public bar in this Province." Why? Because the Whitney Government's progressive policy will close them. So says the Liberal delegate, "We must steal the credit." "Therefore let us commence now." And they have been busy at it ever since.

And then what about the boat—I should like to know what temperance boat this delegate and his party could have got into during the Liberal administration that we succeeded. I should like to ask that convention where, down to 1905, could they have found a temperance boat in their whole fleet? They *had* other boats that we have heard of, but there was not a single temperance boat in the whole Liberal party that would stay afloat. But when the year 1911 came, and they were looking for a boat they find a temperance boat in this Province, they find that it has been built and manned by this Conservative Government, and that now it must be the policy of the Liberal party to do what; To destroy, if possible, the reputation for progressive temperance measures and good administration that the Conservative party has built up, and to do this how? By impressing upon the electors of the Province of Ontario that the liquor interests and the Conservative party are one and the same thing. "We must drive the Conservative party into the liquor camp." That was the proposition in the fall of 1911. That proposition was accepted by the then Leader of the Opposition, and surely he has lived up to it faithfully from that day to this. He has lost no opportunity, in season or out of season, on the public platform or in the public press, in by-elections, or, in fact, wherever opportunity presents to repeat and repeat again that the Government of the day is in some way tied up with the liquor interests.

The absurdity, the utter falsity of that statement can surely be demonstrated on every hand.

The answer to it may be found in every section of our record.

There is the answer in the legislation of the past nine years to which I have referred.

There is the answer in our administration of the law covering the same period.

There is the answer in our special votes from which we expended a total of \$236,630 during our nine years administration for special services in the enforcement of the law, while the Government which we succeeded spent on the same account but \$1,188 in the last fifteen years of their administration.

There is the answer in the bye-election held in E. Middlesex, and most noticeably in London Township, which has just come through a local option contest, where they came within two of carrying local option by a three-fifths majority, and yet, by practically the same vote, they supported the Conservative candidate in E. Middlesex, i.e., the London Township electorate that are upwards of 60 per cent. Conservative are practically 60 per cent. for local option.

And so we could follow to the other elections, including the Scott Act contest in Huron, where in a county of three constituencies, two of them strongly Conservative, we find them giving twenty-six hundred and some odd of a majority in favour of the Scott Act. Surely strange evidence this of an alliance between the Conservatives of the Province and the liquor interests, and yet the Liberal Leader persists in his statement and in his efforts to impress it on the people.

The limit in this direction was surely reached last week at a public meeting of Liberals in this Province when, in the pursuit of this purpose, in the determination to create the impression that the Conservative party and the liquor interests were allied, and at which meeting was present a leading Liberal of this Province, there was circulated by the hundred a paper, a specimen of which I produce to this House. It is in the form of a ballot and is printed as such with its black border and its two sections for the elector to choose between. The first section reads "Rowell and Reform." Well, if the hon. Leader sees fit to indulge in alliteration in these words, I shall not object. He can take any comfort out of them that he pleases. But when in the second section of this ballot he used the words "Whitney and Whiskey"—(cries of "Shame!")—when he attempts to bracket together with whiskey the name of a man who in his whole course in the public life of this Province has,

in this matter as in others, in both administration and legislation, been an example for future leaders to follow, the Leader of the Opposition is surely adopting tactics unworthy of any political party.

If this were an isolated case, if this were the work of some over industrious local partisan, there would be no mention of it by me in this House, but this is of a kind and in keeping with so much of what has been happening within the last two years in connection with this subject that I cannot let it pass. It is a shameful incident in political methods and cannot be overlooked, and I am sure will be dealt with by the electors as it deserves.

Sir James, when in Opposition, promised the people of this Province the enforcement of the liquor license law, and from the day he took power down to the present time, no Government ever tried more faithfully to keep a pledge. At no time since 1905 has the administration of the liquor license law in this Province been lax. At no time since we came into power have we ignored complaints made with regard to enforcement of the law. Our policy has been and is to investigate every complaint made to the Department that would appear to be at all well founded.

I have no thought of thrashing out again the arguments that have been presented on former occasions on the floor of this House with regard to this motion. Enforcement of the Liquor License Act, including as it does the Local Option Law and its enforcement, has done good service in this Province down to the present time. I do not think the time has yet arrived in this Province when Provincial wide prohibition can be successfully adopted. There are many sections in this Province where enforcement of such a law to-day would be difficult indeed, if not impossible, and this apart from the difficulties of enforcement in the larger cities.

That the hon. member is himself somewhat lacking in confidence in his own position is surely patent from the fact that he deals in one way with tavern licenses and in another way with shops. He would give us a Province-wide law banishing the bar, but would not invoke that law to banish a single shop: whereas the powers of the Province with regard to both are identical. Why does he leave shops to local option, while re-

moving the bars by provincial-wide legislation? The people who under local option would vote to close the shops would by the same vote close the bars. Then why not deal with shops and bars by the same process? Could anything be more ridiculous than this hodge-podge of devious methods.

Now, Mr. Speaker, I shall not take up further time with regard to this motion, except to move an amendment, an amendment that is more in keeping with our ideas, and it is this:—

Moved by MR. HANNA, seconded by MR. REAUME:

"That all the words of the Motion after the first word 'That' be struck out and the following substituted therefor: 'This House fully recognizes the duty cast upon it to minimize, as far as possible, the evil effects of the drink habit by wise restrictions upon the traffic in intoxicating liquors. This House also recognizes that, having regard to the decisions of the Judicial Committee of the Privy Council as to the respective jurisdictions of the Dominion and Provinces, it is impossible for the people of the Province through the legislature to abolish or control the manufacture within, or the importation into the Provinces, of intoxicating liquors. That great good has resulted from the adoption and operation of Local Option under the provisions of the Provincial Legislature in that behalf by which, in the localities adopting it, the sale of intoxicating liquors both in bars and shops is abolished, that to forbid the sale of such liquors in bars while permitting such sale in shops would be disastrous in the extreme and would increase the evils resulting from the traffic and habit; That this House re-affirms its belief as to the evil effects of the treating habit, which should be put an end to, if possible, by means of legislation, on any other satisfactory action.'"

NOTE A.—On the 19th of March, speaking in the Legislative Assembly, Mr. Hanna said:

"Coming to the speech of the hon. the Leader of the Opposition, I wish to refer to a statement made by him in the course of that speech. He referred to members of this side of the House and their 'allies,' and when pressed to explain his use of the word, stated that by 'allies' of the Government he meant the liquor trade of the Province. I shall deal with this question now, as it is not the first time I have heard that statement. It has, I understand, been made on public platforms of this Province, and has been made the subject of some correspondence with people who are interested in that question.

"Now, if the hon. member will take pains to analyze the facts as he knows them, to investigate the different constituencies called upon to vote, not only with regard to members of this House, but with regard to local option by-laws, if he will take the trouble to follow up and analyze the figures in connection with these various contests, I am sure he would reach a conclusion directly opposite to his statement that the Conservative party of this Province and the liquor interests are in any way allied.

"Let us analyze the facts in one constituency alone, and if you wish to verify the conclusions indicated there you need only take the other contests and you find the same results. I take the constituency of East Middlesex, because the Liberal candidate in that contest was a man who was distinctly a temperance man in his life, in his profession, and in every other way. So far as I know, no one ever suggested the contrary. Now let us see what happened in that constituency. Take the Township of London, which only the January preceding had voted on local option and came within one or two votes of carrying it by sixty per cent., which meant that this township was a very strong local option township, but this township is as well about sixty per cent. Conservative. If there should be any doubt about this see the bye-election returns of a few months later, when the hon. gentleman who represents East Middlesex in this House, and on this side of it, found that he had received practically the same percentage of the vote in London Township that had been cast for local option a few months before. I do not propose to draw unfair de-

ductions from that. But I do say this: That every time the hon. member or anyone behind him stands upon the public platform and attempts to say to Conservative or Liberal that the Conservatives are allied with the liquor interests, he does a direct and lasting injury to the cause that the temperance people are advocating. I can establish it by actual facts; I can establish it by names I could repeat, but which I am not going to repeat here to-day. When the question of local option has been on in the past what has happened? Conservative and Liberal electors have gone arm-in-arm to the little red school-house and have polled their votes according to their best judgment, and that without reference to politics, and they have come back without discussing partisan politics at all. But in the bye-election in East Middlesex it has been said to Conservative voters, "You must come behind our Liberal candidate or I won't go behind local option when it comes up in January next." That actually happened in East Middlesex in the first bye-election, and in more than one part of East Middlesex. I want to say that just the moment that kind of thing appears, it means that one of the most serious blows that could be struck is being dealt to the cause of temperance.

We have had several elections in this Province since the last general elections. We have had, I believe, eleven in all. It is perhaps a tribute to the good sense of the people of this Province, and at the same time a hint to the hon. gentleman to stop and think, that out of eleven elections, eleven Conservatives were returned to support this Government, and that those Conservatives have been returned regardless of whether these townships, towns and villages, were "wet" or "dry" municipalities, and regardless of whether these constituencies went Liberal or Conservative in the general elections of 1911.

Take North Grey. Can anyone say that in this constituency it was a case of the Conservatives and the liquor interests as "allies" going to the polls? Just let me point out that in this bye-election the Liberal majority of 750 in 1911 was converted into a Conservative majority of four hundred and some odd. That means that the people who gave the Liberal majority in 1911 voted for the Conservative candidate in the last bye-election. Does anyone mean to say that the liquor interest has anything to do with this, and that so large a section of the

Liberal vote as was necessary to make the change swung over to the liquor "allies"? The proposition is unfair to the electors of North Grey.

NOTE B.—In 1906 the present Government spent for special services in the enforcement of the Liquor License Law the sum of.....\$10,859 64

In 1907	17,925 49
" 1908	24,351 05
" 1909	27,492 44
" 1910	26,212 00
" 1911	24,750 33
" 1912	28,939 25
" 1913	31,100 13
For 1914, the vote for this purpose (including the Scott Act) is.....	45,000 00
Or a total in all of.....	\$236,630 33
For the 15 years prior to 1905 the total amount spent by the old Government was.....	\$4,188 00

NOTE C.—The following legislation was passed at the Session of the Legislative Assembly:

1914.

Section 1. Prohibits the sale of liquor on Good Friday.

Section 3. A person who supplies liquor to any other person known to him to be on the prohibited list, can himself be prohibited for twelve months.

Section 4. Made all fines imposed in Local Option Municipalities available for the enforcement of Local Option in the whole License District.

Section 5. Makes it an offence against the Act for a person to be in an intoxicated condition in any municipality whether under Local Option or otherwise in any place where no tavern or shop license is issued.

Section 6. Facilitates the administration of the law in Scott Act counties and provides that one-half of any deficiency in the expenses for enforcing the law will be made up by the Province.

Section 7. Requires that the label on all temperance beer and similar beverages shall show that the contents of the bottle contains less than 2½ per cent. of proof spirits where the same is sold by an unlicensed person.

NOTE D.—*The Pioneer* of June 14, 1912, says:—

"The Ontario Local Option law, as approved and administered under the guidance of the present Ontario Government, is a remarkably successful piece of legislative work.

"Since Sir James Whitney took office it has been very much improved and its adoption and enforcement have been greatly facilitated. There is no movement or desire to have even the present improved Canada Temperance Act substituted for it as a weapon against the liquor evil.

"The Canada Temperance Act, having been passed for the whole Dominion, could not be expected to be quite as well adapted to the necessities of Ontario, as would be a law with a similar object, passed by the Legislature of Ontario—fully familiar with Ontario conditions and requirements.

"The Ontario Government and Legislature have developed law-enforcing machinery fitted to the details of their own legislation, and the working of that law is now so well understood that it goes on with comparatively little difficulty, and with an immense amount of success. Outside the fact that it is applicable to places that have no municipal organization, there is probably only one good feature of the Canada Temperance Act that is not to be found—and often in more effective form—in the Local Option legislation, that is the fact that it may be adopted by a majority of the electors voting upon it. As matters now stand, Local Option by-laws are the best legislative weapons with which to fight the liquor traffic."